

# BEAVERTON POLICE DEPARTMENT

# GENERAL ORDER

NUMBER: 14.01.02  
SUBJECT: EXPUNGEMENT AND SEALED RECORDS  
EFFECTIVE: JUNE 1, 2000  
REVIEW: 2001, 2003, 2005, 2007

1. PURPOSE. This order provides instructions for processing court orders for removal of juvenile records, individual peer court cases and the sealing of adult records. (Refer to Appendix A).

2. DESCRIPTION.

A. Juvenile Expunction. This applies only to any incident reported or occurring PRIOR to the eighteenth (18<sup>th</sup>) birthday of the named subject.

Case files which name the subject as a victim, witness, informant, driver in a motor vehicle accident, reporting party, or property owner will be left in the files unless their destruction is specifically identified by case number in the court order. All other documents that refer to the subject will be removed.

Case files which contain reference to the juvenile and also detail information concerning a victim will be modified to eliminate the identification of the juvenile only.

B. Peer Court Expunction. This applies only to the Peer Court case.

C. Adult Sealed Records. This applies only to the specifically named offense and corresponding case file documents.

3. GENERAL PROCESSING – JUVENILE.

A. The Data Entry section of the Records Division is responsible for the processing of all court orders demanding the Expunction and Sealing of police records.

B. Upon receipt of an ORDER OF EXPUNCTION, or a court order to SEAL a specific records, date stamp the order.

- C. Query and print complete PPDS and HP records on each subject. Take care to query any AKA names or dates of birth, being alert to possible double CRNs. If no record is found, return the order to the appropriate court, asking for case numbers, alias', locations, or dates of contact that might help you locate the record.
- D. List all required information in the Expunction Logbook. Include all names, dates of birth and CRNs. (Refer to Appendix B).
- E. Send a request form to any other department member that received a copy of the report. This request goes to the following departmental personnel: the officer that wrote the report and the Records Lead Worker, as the report may still be on disk, may have been scanned or may be listed on the briefing log, which must be deleted; to CID to check for mug records, FCR cards and report copies that they may possibly have; and to the PIO and the Property Officer for report copies/property which they may possibly possess. The signed form will be returned to Data Entry. (Refer to Appendix C).
- F. Carefully screen each printout, highlighting all incidents occurring before the subject's 18<sup>th</sup> birthday. If the date of birth is in question, use the date listed on the expunction. If for any reason there is a question about a case, highlight it. NOTE: On rare occasions the Juvenile Court will indicate that only certain cases are to be expunged. In that case, it is necessary to process only those reports.
- G. If you observe any cases that were entered by agencies other than the Beaverton Police Department that might qualify for expunction, fill out the appropriate form letter, attach a copy of the expunction and the printout and forward the information to the Court initiating the expunction. Make a note of the date sent in the Expunction Logbook.
- H. Pull cases stored in Records and order any cases needed from Archives. Note any referral case numbers and obtain before processing expunction.
- I. Computer processing. Each expunction, printout and related cases should be grouped as a package. Carefully examine each case and determine if the case qualifies for expunction. There are several crimes that do not qualify for expunction and should not be processed (see-attached list). In addition, reports do not need to be processed if the juvenile was the complainant and/or not involved in any delinquent behavior.
- J. Processing Hardcopies. Read through the report for any mention of the named subject. If the report is a two-sided copy, use correction fluid on the name. If the report is only one-sided, use a black marker to cross off the name. This applies to all information that could be used to identify the subject, such as DOB, SOC #, ODL # and scars/marks/tattoos.

K. Remove name from internal case log.

L. The case file jacket will be stamped and marked with the following information:

EXPUNGED/SEALED RECORD (Cross out one)

Court \_\_\_\_\_ (Name and order number)

By \_\_\_\_\_ (Date and Initials)

M. All documents removed from the file will be verified by a second person prior to destruction.

N. Sign and date expunction order. Make a hard copy for the Record's Supervisor stating expunction has been completed. Send original expunction order to appropriate court.

#### 4. ADULT SEALED RECORDS.

A. Adult Sealed Record Orders are handled as Juvenile Expunctions, except it normally refers to one case, not the entire criminal record.

B. Reports will be removed from the case file folder for any Sealed Record Court Order. The folder will be marked to indicate that the record has been sealed. Place the report and a copy of the order in an envelope. Write on the envelope the case number, date file is sealed, the subject's name, date of birth and court order number. Two people should initial across the opening of the envelope and these files need to be kept separate from other cases.

\_\_\_\_\_  
Chief of Police

\_\_\_\_\_  
Date